IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.332 OF 2005
(ARBITRATION PETITION (LODG) NO.388 OF 2005)

Essar Oil Ltd. ... Petitioner.

vs.

M/s.Rajendra Petroleum and Another. .... Respondents.

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Mr.B.B.Saraf i/b. Ms.Marlyn Monteiro, for Petitioner.

Mr.V.Z.Konkaria i/b. R.S.Ghadge, for Respondents.

**CORAM: D.K.DESHMUKH,J.**

**DATED: 7th December, 2005**

**P.C.**:-

1. The disputes and differences between the petitioner and respondents arising out of and relating to the arrangement/agreement contained in letter dated 1.4.2003 Ex."C" to the petition and/or purported termination/breach thereof are referred to Arbitration of Hon'ble Mr.Justice A.B.Palkar (Retired).

2. The scale of fees of the learned Arbitrator shall be in accordance with the Circular bearing No.P-1615/2003. The petitioner

shall initially bear the costs of the Arbitration which will be subject to the final outcome of the Arbitration and the directions of the Arbitrator.

3. The petitioner undertakes to make an application before the learned Arbitrator within a period of Eight weeks from today for appropriate interim relief. In case such application is made by the petitioner within the aforesaid period, till that application is decided ad-interim order passed by this Court dated 13.9.2005 shall continue to operate. The learned Arbitrator shall be free to grant such interim reliefs as the petitioner may be entitled according to the Law. The learned Arbitrator shall also be free to modify or cancel the ad-interim order made in favour of the petitioner.

This order disposes of this petition. There shall be no order as to costs.

The Petitioner to communicate this order to the learned Arbitrator.

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